

RECORD VERSION

STATEMENT BY

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BEFORE THE

SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS

HOUSE COMMITTEE ON VETERANS' AFFAIRS

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**FILIPINO VETERANS EQUITY COMPENSATION FUND: INQUIRY INTO THE
ADEQUACY OF PROCESS IN VERIFYING ELIGIBILITY**

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HOUSE COMMITTEE ON VETERANS' AFFAIRS

Chairman Runyan, Ranking Member Titus, Distinguished Members of this Committee, I thank you once again for the opportunity to appear before you on behalf of America's Army to discuss the Filipino Army Veterans verification process. I sat before the Oversight and Investigations Subcommittee of the House Armed Services Committee a few months ago, in June, providing similar testimony. As previously mentioned in prior testimony, this issue is very personal for me because my father served in the Philippines during World War II. Therefore ensuring accuracy and adequacy in the verification process of our Filipino Army Veterans is important to me. I sit before you today, as has been the case with Army Adjutants General over many years, with great confidence knowing that the Army's process of verifying Filipino Army service is sound and adequate.

For the three years post WWII, 1945-1948, the Filipino government worked in conjunction with the U.S. Army to establish Guerilla and Philippine Army unit rosters and to capture relevant service data. This data is currently located in the National Personnel Records Center, National Archives Records Administration. If you visit the National Personnel Records Center, you will find thousands, almost 10,000 cubic feet, of claim folders which are Philippine Army and Guerilla claim files. You will find cabinets of Finding Aids, which is approximately 1.3 million cards; 30 cubic feet of various Philippine Army rosters and records, and 15 cubic feet of Guerilla rosters. I could go on, as the list continues, but I believe you can imagine the enormity of the amount of information in these files.

In 1998, the Army transferred the Filipino Veteran service verification process to the National Personnel Records Center. With this transfer, we obtained efficiencies and improved timeliness of verification. Although the National Personnel Records Center actually executes the hands-on work to verify service, they do so in accordance with procedural guidance established and maintained by the Army.

Since the signing of the 2009 American Investment Recovery Act, the Army has supported the Department of Veterans Affairs role in compensating WWII Filipino Veterans by verifying Filipino service in the Philippines based on the very same process for service verification established in 1948 in conjunction with the Philippine Government.

When I use the term “verify,” I don’t use it arbitrarily. “Verify” is the most appropriate term because the service determinations have already been made. Although it is a fairly simple process to review the records to see what determination was made, the process that got us to that point was very complex. The people on the ground after the war, both American and Filipino, conducted years of research, interviewing Commanders and leaders at various organizational levels, and gathered and stored massive amounts of authoritative documents. They turned over every stone possible and imaginable to leave us with the system and documents we use today, with the understanding, and somehow the foresight, to know that we would not be able to make fair, adequate, and auditable service determinations today without them.

By the end of the war, of the nearly 1.3 million claims (requests for recognition of Filipino service) reviewed, the Army, through its collaborative effort with the Philippine Government, recognized and approved only 260,000. I ask that you keep three points in mind. First, accepted historical documentation makes it clear that Filipino service within recognized units did not approach a figure anywhere near the 1.3 million claims submitted. Second, these determinations were made by the people on the ground at that time, only after extensive research was completed, and unfortunately, a majority of the time they were presented with the very unpleasant task of denying a claim, the same as we must do today. Third, claims were denied then, as they are today, for very legitimate and justifiable reasons. Changing the service verification process by accepting non-verifiable service documentation for Philippine Army and Guerilla Veterans may result in a significant number of faulty service verifications.

The Army set specific criteria and a threshold for what we would consider as service. While many Filipinos feel that they served, they did not meet or reach the threshold for service. Using the specified criteria, the determinations were made. Today, it's just a matter of us reviewing the record and retrieving the determination. Second guessing what is already in the record is neither reasonable nor feasible, as we cannot conduct better research than what was conducted in the years immediately following the war, by the individuals actually on the ground at the time. Today, the process is fairly simple:

- 1) The Department of Veterans’ Affairs submits Veterans’ Affairs (VA) Form 3101 or VA Form 9 to the National Personnel Records Center, who retrieves and authenticates the

service determination from the archived files. If sufficient documentation is not found in the file, the National Personnel Records Center works with the Department of Veterans Affairs, who in turn works with the Philippine government, to obtain additional information. Once the National Personnel Records Center has matched evidence with unit rosters and is able to authenticate service, they complete National Personnel Records Center Test Form 02-03 and forward it to the Department of Veterans Affairs. These rosters and reference lists serve only as a quick reference to what is actually in more than 1,600 boxes of well-documented case files and supporting material stored in the National Archives building in College Park, Maryland. If unable to match evidence with unit rosters, the National Personnel Records Center annotates the VA Form 3101 accordingly and returns it to the Department of Veterans' Affairs. Although the National Personnel Records Center executes this function, they follow the Army's procedures and program guidelines, and do not deviate from U.S. Army policy.

2) The National Personnel Records Center informs the Department of Veterans' Affairs of the final determination.

3) The Department of Veterans' Affairs delivers or denies the benefit.

The National Personnel Records Center follows the same rigorous process established by the Army to ensure that no claimant is unfairly excluded from earned benefits by denying creditable service, and that all who have served are properly recognized for their contributions to U.S. Army efforts in WWII and to the Nation.

The Army has long-standing and close working relationships with both the National Personnel Records Center and the Department of Veterans' Affairs, and together we are committed to sustaining an efficient claims processing program for the Filipino Veterans.

The issue of service verification has remained constant over the years. The Army has spent significant time and resources to continually review our service verification policy. Though we have complete confidence in the final service determinations already made, as with any other Army program, a review or study is periodically conducted to ensure that we are in compliance with the spirit and letter of applicable laws and regulations.

As published on the White House website, in October 2012, the White House Initiative on Asian Americans and Pacific Islanders, in collaboration with the Office of Management and Budget and the Domestic Policy Council, created the Filipino Veterans Equity Compensation Fund Interagency Working Group comprised of the Department of Veterans Affairs, the Department of Defense, and the National Archives and Record Administration. The working group was tasked with analyzing the process faced by Filipino veterans in demonstrating eligibility for compensation in order to ensure that all applications received thorough and fair review.

The working group increased transparency and concluded that, after a thorough accounting of the process to verify valid military service for Filipino World War II veterans, the process is sound. All organizations involved in the verification process were brought together to improve the process from start to finish. In addition to clarifying the claims process, the working group digitized and made available online for the first time a report titled, U.S. Army Recognition Program of Philippine Guerrillas. This crucial report explains how the recognition process was developed at the close of World War II, and, most importantly, the Army's careful reasoning behind the current policies on service verification. I will highlight some of the Army's more significant results of that Interagency Working Group:

- The Army reviewed and revalidated the retrieval and authentication procedures used by the National Personnel Records Center, and made the procedures electronically available.

- The Army recognized the need to return to more detailed responses to requests for service determinations. As a result, we fielded several more specific response letters which state: the individual's service authentication, whether or not the individual's claims folder and/or corresponding unit rosters were located, and what the next appropriate steps are for individuals with questions regarding service authentication.

- The Army placed a priority on requests for service determinations received from the Department of Veterans Affairs for Filipino veterans, and also asked the National Personnel Records Center to ensure the requests receive prompt servicing.

Over the years, the Department of the Army has been requested to establish a different process for Filipino Veterans to prove their service. The facts are that we have a process; it is adequate and it is sound. We will continue to work closely with the National Personnel Records Center and the Department of Veterans' Affairs to provide the best possible service to our Filipino Veterans. The Army is well-positioned and committed to meeting the claims processing needs for Filipino Veterans.

Chairman Runyan, Ranking Member Titus, and members of the subcommittee, we wish to thank all of you for your continued support, which has been vital in sustaining our All-Volunteer Army through an unprecedented period of continuous combat operations, and which will continue to be vital to ensure the future of our Army. I look forward to answering your questions today.